Commissioner for Patents
Amendment dated April 26, 2005
Response to Office Action dated January 26, 2005
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Serial No.: 10/006976
Art Unit: 2112
Examiner: Patel
Docket No.: RPS9 2001 0137 US1

REMARKS/ARGUMENTS

Claims 2-23 were presented and examined. The Examiner objected to an informality in claim 13. The Examiner rejected claims 3-8, 10-17, and 20-23 under 35 USC § 112, second paragraph, as being indefinite. Claims 9, 11-13, 15-20 and 22-23 were rejected under 35 USC § 103(a), as being unpatentable over McGraw *et al.* (U.S. Patent Application Publication No. 2002/0188709 A1), hereinafter "McGraw", in view of Mitchell (U.S. Patent No. 6,662,119), hereinafter "Mitchell". Claims 14 and 21 were rejected under 35 USC § 103(a), as being unpatentable over McGraw in view of Mitchell, and further in view of the admitted prior art. The Examiner allowed claim 2. The Examiner indicated claim 10 as reciting allowable subject matter. In this response, Applicant has amended claims 3, 5-7, 9, 11, 13-15, and canceled claims 10, and 18-23. Claims 2-9 and 11-18 remain pending.

Claim Objections

The Examiner objected to informalities in claim 13. In response, Applicant has amended claim 13 along the lines helpfully suggested by the Examiner. Applicant wishes to thank the Examiner for diligently reviewing the application and discovering these errors. Applicant submits that claim 13 as amended address the objection raised by the Examiner and Applicant would respectfully request the Examiner to reconsider and withdraw the objection.

Claim rejections under 35 USC § 112, Second Paragraph

The Examiner rejected claims 3-8, 10-17, and 20-23 under Section 112, second paragraph as indefinite for various antecedent basis problems. Applicant has canceled claims 10 and 20-23 and amended each of the other rejected claims to correct the Section 112 problems noted by the Examiner. Applicant believes that each of the remaining pending claims is compliant with the requirements of Section 112 and respectfully requests the Examiner to reconsider and withdraw the Section 112 rejections.

Claim rejections under 35 USC § 103(a)

The Examiner rejected claims 9, 11-13, 15-20, and 22-23 under Section 103(a) as being unpatentable over McGraw in view of Mitchell.
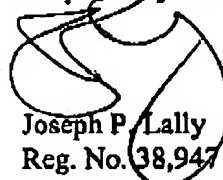
In response, to the rejection of independent claim 9, Applicant has amended the claim to incorporate the limitations of previously presented claim 10 (now canceled). Consistent with the Examiner's appropriate determination that the subject matter recited in previously prsented claim 10 was allowable, Applicant submits that claim 9 as amended herein is allowable as well. Accordingly, Applicant respectfully requests the Examiner to reconsider and withdraw the Section 103(a) rejection of claim 9 and its dependent claims.

With respect to the rejection of independent claim 18 , Applicant has canceled the independent claim and all of its dependent claims.

CONCLUSION

In this response, Applicant has addressed the Examiner's objections, claim rejections under 35 USC § 112, second paragraph, and claim rejections under 35 USC § 103(a). Accordingly, Applicant believes that this response constitutes a complete response to each of the issues raised in the office action. In light of the amendments made herein and the accompanying remarks, Applicant believes that the pending claims are in condition for allowance. Accordingly, Applicant would request the Examiner to withdraw the rejections, allow the pending claims, and advance the application to issue. If the Examiner has any questions, comments, or suggestions, the undersigned attorney would welcome and encourage a telephone conference at 512.428.9872.

Respectfully submitted,

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